

FILED
UNITED STATES DISTRICT COURT IN CLERKS OFFICE
DISTRICT OF MASSACHUSETTS 2005 FEB -1 P 2:30

UNITED STATES OF AMERICA)

v.)

GARY NEWELL,)
Defendant)

U.S. DISTRICT COURT
DISTRICT OF MASS.

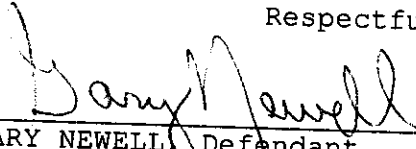
CRIMINAL NO. 03-10370-DPW

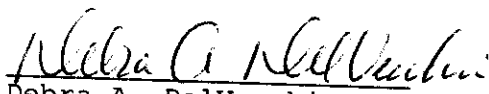
DEFENDANT GARY NEWELL'S WAIVER
OF APPEARANCE FOR ARRAIGNMENT

Pursuant to Rule 10 (b) of the Federal Rules of Criminal Procedure, defendant Gary Newell respectfully waives his appearance in court for arraignment on the Superseding Indictment returned by the Grand Jury on October 28, 2004 in the above-captioned case. In support of this waiver, the defendant and his counsel hereby affirm that the defendant has received a copy of the Superseding Indictment and that the defendant pleads "not guilty" to that indictment.

WHEREFORE, the defendant and his attorney respectfully request that the Court accept his waiver of appearance for arraignment.

Respectfully submitted,


GARY NEWELL, Defendant


Debra A. DelVecchio
B.B.O. #542139
DEL VECCHIO & HOUSEMAN
The Perry Building
15 Front Street
Salem, MA 01970
(978) 740-5999

DATED: 1/28/05

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was served upon the attorney of record for each party and each party appearing pro se, by mail, 1/28/05, facsimile, e-mail, or other means, on 1/28/05

